## THE CLAIMS

No claims are amended herein. All pending claims are produced below.

 (Previously Presented) A method of encoding video images, where each image has a frame type, the method executed by a computer and comprising:

receiving a plurality of macroblocks for an uncompressed image;

determining a macroblock type for each macroblock;

determining whether the image represents a scene change based upon a distribution of macroblock types of the macroblocks and the frame type of the image, wherein the scene change is determined as a function of a percentage of prediction macroblocks in the image;

encoding the image without changing the frame type of the image in response to the determination of a scene change and the frame type of the image; and outputting the encoded image.

## 2. (Canceled)

(Original) The method of claim 1, wherein determining whether the image represents a scene change, comprises:

responsive to the image being a forward predicted frame type, determining a percentage of intra-encoded macroblocks; and

responsive to the percentage of intra-encoded macroblocks, identifying a scene change at the image.

- 4. (Original) The method of claim 3, further comprising:
  - responsive to the percentage of intra-encoded macroblocks exceeding a threshold, identifying a scene change at the image.
- 5. (Original) The method of claim 4, wherein the threshold is about .65.

- (Original) The method of claim 1, wherein determining whether the image represents a scene change, comprises:
  - responsive to the image being a bidirectionally predicted frame type, determining a percentage of backward predicted macroblocks; and
  - responsive to the percentage of backward predicted macroblocks, identifying a scene change at the image.
  - 7. (Original) The method of claim 6, further comprising:
    - responsive to the percentage of backward predicted macroblocks exceeding a threshold, identifying a scene change at the image.
  - 8. (Original) The method of claim 7, wherein the threshold is about .70.
- (Original) The method of claim 1, wherein determining whether the image represents a scene change, comprises:
  - responsive to the image being a bidirectionally predicted frame type, determining a percentage of forward predicted macroblocks; and
  - responsive to the percentage of forward predicted macroblocks, identifying a scene change at the image.
  - 10. (Original) The method of claim 6, further comprising:
    - responsive to the percentage of forward predicted macroblocks exceeding a threshold, identifying a scene change at the image.
  - 11. (Original) The method of claim 7, wherein the threshold is about .70.
- 12. (Original) The method of claim 1, wherein determining whether the image represents a scene change, comprises:
  - responsive to the image being a forward predicted frame type, determining a percentage of intra-encoded macroblocks;
  - responsive to the image being a bidirectionally predicted frame type, determining a percentage of backward predicted macroblocks;

- responsive to the image being a bidirectionally predicted frame type, determining a percentage of forward predicted macroblocks: and
- responsive to a determined percentage exceeding a threshold corresponding to the type of macroblock, identifying the image as a scene change.
- 13. (Original) The method of claim 1, wherein encoding the image in response to the determination of a scene change and the type of the frame comprises increasing a number of bits used to encode the image, without changing the frame type of the image.
- 14. (Original) The method of claim 1, wherein encoding the image in response to the determination of a scene change and the type of the frame comprises changing a quantization rate used to quantize the image, without changing the frame type of the image.
- 15. (Original) The method of claim 1, wherein encoding the image in response to the determination of a scene change and the type of the frame comprises temporarily increasing a counter of a number of bits available for encoding a remaining set of images in a group of images containing the uncompressed image.
- 16. (Original) The method of claim 1, wherein encoding the image in response to the determination of a scene change and the type of the frame comprises temporarily increasing a counter of a number of bits allocated to images having a same frame type as the frame type of the uncompressed image, in a group of images including the uncompressed image.
  - 17. (Original) The method of claim 1, further comprising:
    - responsive to determining a scene change, generating data identifying the uncompressed image as corresponding to a scene change, and storing the generated data in a side information file for transmission or storage.
  - (Previously Presented) A computer system for encoding video images, comprising: a processor;
    - a memory;

- a motion estimator adapted to receive from the memory a plurality of macroblocks for an uncompressed video image, the image having a frame type, and to determine macroblocks types for the macroblocks;
- a scene change detector coupled to the motion estimator and adapted to determine whether the image represents a scene change based upon a distribution of the macroblock types of the image macroblocks and the frame type of the image, wherein the scene detector determines whether the image represents a scene change as a function of a percentage of prediction macroblocks in the image; and
- a quantizer coupled to the scene change detector for encoding the image without changing the frame type of the image in response to the determination of a scene change by the scene change detector and the frame type of the image, and for storing the encoded image in the memory;
- wherein the motion estimator, scene change detector, and the quantizer are executed by the processor.

## 19. (Canceled)

- 20. (Original) The system of claim 18, wherein the scene change detector determines whether the image represents a scene change by determining a percentage of intra-encoded macroblocks in response to the image being a forward predicted frame type.
- 21. (Original) The system of claim 20, wherein the scene change detector determines the scene change in response to the percentage of intra-encoded macroblocks exceeding a threshold.
  - 22. (Original) The system of claim 21, wherein the threshold is about .65.
- 23. (Original) The system of claim 18, wherein the scene change detector determines whether the image represents a scene change by determining a percentage of backward predicted macroblocks in response to the image being a bidirectionally predicted frame type.

- 24. (Original) The system of claim 23, wherein the scene change detector determines the scene change in response to the percentage of backward predicted macroblocks exceeding a threshold.
  - 25. (Original) The system of claim 24, wherein the threshold is about .70.
- 26. (Original) The system of claim 18, wherein the scene change detector determines whether the image represents a scene change by determining a percentage of forward predicted macroblocks in response to the image being a bidirectionally predicted frame type.
- 27. (Original) The system of claim 26, wherein the scene change detector determines the scene change in response to the percentage of forward predicted macroblocks exceeding a threshold.
  - 28. (Original) The system of claim 27, wherein the threshold is about .70.
- 29. (Original) The system of claim 18, wherein the scene change detector determines whether the image represents a scene change by:
  - determining a percentage of intra-encoded macroblocks in response to the image being a forward predicted frame type;
  - determining a percentage of backward predicted macroblocks in response to the image being a bidirectionally predicted frame type;
  - determining a percentage of forward predicted macroblocks in response to the image being a bidirectionally predicted frame type; and
  - responsive to a determined percentage exceeding a threshold corresponding to the type of macroblock, identifying the image as a scene change.
- 30. (Original) The system of claim 18, wherein the quantizer encodes the image in response to the determination of a scene change and the type of the frame by increasing a number of bits used to encode the image, without changing the frame type of the image.

- 31. (Original) The system of claim 18, wherein the quantizer encodes the image in response to the determination of a scene change and the type of the frame by changing a quantization rate used to quantize the image, without changing the frame type of the image.
- 32. (Original) The system of claim 18, wherein the quantizer encodes the image in response to the determination of a scene change and the type of the frame by temporarily increasing a counter of a number of bits available for encoding a remaining set of images in a group of images containing the uncompressed image.
- 33. (Original) The system of claim 18, wherein the quantizer encodes the image in response to the determination of a scene change and the type of the frame by temporarily increasing a counter of a number of bits allocated to images having a same frame type as the frame type of the uncompressed image, in a group of images including the uncompressed image.
- 34. (Original) The system of claim 18, wherein the scene change detector is further adapted, responsive to determining a scene change, to generate data identifying the uncompressed image as corresponding to a scene change, and storing the generated data in a side information file for transmission or storage.
- 35. (Previously Presented) A computer program product, adapted to encode video images, comprising a computer readable storage medium containing computer executable instructions executable by a processor to control the processor of a computer system for performing the operations of:
  - reading from a memory of the computer system an uncompressed image including a plurality of macroblocks;
  - determining a macroblock type for each of the plurality of macroblocks in the uncompressed image;
  - determining whether the image represents a scene change based upon a distribution of macroblock types of the macroblocks and the frame type of the image, wherein the scene change is determined as a function of a percentage of prediction macroblocks in the image;

encoding the image without changing the frame type of the image in response to the determination of a scene change and the frame type of the image; and storing the encoded image in the memory of the computer system.

## 36. (Canceled)

- 37. (Original) The computer program product of claim 35, wherein determining whether the image represents a scene change, comprises:
  - responsive to the image being a forward predicted frame type, determining a percentage of intra-encoded macroblocks; and
  - responsive to the percentage of intra-encoded macroblocks, identifying a scene change at the image.
  - 38. (Original) The computer program product of claim 37, further comprising: responsive to the percentage of intra-encoded macroblocks exceeding a threshold, identifying a scene change at the image.
- 39. (Original) The computer program product of claim 38, wherein the threshold is about .65.
- 40. (Original) The computer program product of claim 35, wherein determining whether the image represents a scene change, comprises:
  - responsive to the image being a bidirectionally predicted frame type, determining a percentage of backward predicted macroblocks; and
  - responsive to the percentage of backward predicted macroblocks, identifying a scene change at the image.
  - 41. (Original) The computer program product of claim 40, further comprising: responsive to the percentage of backward predicted macroblocks exceeding a threshold, identifying a scene change at the image.

- 42. (Original) The computer program product of claim 41, wherein the threshold is about .70.
- 43. (Original) The computer program product of claim 35, wherein determining whether the image represents a scene change, comprises:
  - responsive to the image being a bidirectionally predicted frame type, determining a percentage of forward predicted macroblocks; and
  - responsive to the percentage of forward predicted macroblocks, identifying a scene change at the image.
  - 44. (Original) The computer program product of claim 43, further comprising: responsive to the percentage of forward predicted macroblocks exceeding a threshold, identifying a scene change at the image.
- 45. (Original) The computer program product of claim 44, wherein the threshold is about .70.
- 46. (Original) The computer program product of claim 35, wherein determining whether the image represents a scene change, comprises:
  - responsive to the image being a forward predicted frame type, determining a percentage of intra-encoded macroblocks;
  - responsive to the image being a bidirectionally predicted frame type, determining a percentage of backward predicted macroblocks;
  - responsive to the image being a bidirectionally predicted frame type, determining a percentage of forward predicted macroblocks; and
  - responsive to the determined percentage exceeding a threshold corresponding to the type of macroblock, identifying the image as a scene change.
- 47. (Original) The computer program product of claim 35, wherein encoding the image in response to the determination of a scene change and the type of the frame comprises increasing a number of bits used to encode the image, without changing the frame type of the image.

- 48. (Original) The computer program product of claim 35, wherein encoding the image in response to the determination of a scene change and the type of the frame comprises changing a quantization rate used to quantize the image, without changing the frame type of the image.
- 49. (Original) The computer program product of claim 35, wherein encoding the image in response to the determination of a scene change and the type of the frame comprises temporarily increasing a counter of a number of bits available for encoding a remaining set of images in a group of images containing the uncompressed image.
- 50. (Original) The computer program product of claim 35, wherein encoding the image in response to the determination of a scene change and the type of the frame comprises temporarily increasing a counter of a number of bits allocated to images having a same frame type as the frame type of the uncompressed image, in a group of images including the uncompressed image.
  - 51. (Original) The computer program product of claim 35, further comprising: responsive to determining a scene change, generating data identifying the uncompressed image as corresponding to a scene change, and storing the generated data in a side information file for transmission or storage.
- 52. (Previously Presented) A computer system for encoding video images, each image having a frame type, comprising:

a processor;

a memory;

- motion estimation means for receiving from the memory a plurality of macroblocks for an uncompressed video image and determining a macroblock type for each macroblock:
- scene change detection means for determine whether the image represents a scene change based upon a distribution of macroblock types of the image macroblocks and the frame type of the image, wherein the scene change is determined as a function of a percentage of prediction macroblocks in the image; and

- encoding means for encoding the image without changing the frame type of the image in response to the determination of a scene change by the scene change detection means and the frame type of the image, and for storing the encoded image in the memory;
- wherein the motion estimation means, scene change detection means, and the encoding means are executed by the processor.
- 53. (Original) The system of claim 52, wherein the scene change detection means determines whether the image represents a scene change by:
  - determining a percentage of intra-encoded macroblocks in response to the image being a forward predicted frame type;
  - determining a percentage of backward predicted macroblocks in response to the image being a bidirectionally predicted frame type;
  - determining a percentage of forward predicted macroblocks in response to the image being a bidirectionally predicted frame type; and
  - responsive to a determined percentage exceeding a threshold corresponding to the type of macroblock, identifying the image as a scene change.
- 54. (Original) The system of claim 52, wherein the encoding means encodes the image in response to the determination of a scene change and the type of the frame by increasing a number of bits used to encode the image, without changing the frame type of the image.
- 55. (Original) The system of claim 52, wherein the encoding means encodes the image in response to the determination of a scene change and the type of the frame by changing a quantization rate used to quantize the image, without changing the frame type of the image.
- 56. (Original) The system of claim 52, wherein the encoding means encodes the image in response to the determination of a scene change and the type of the frame by temporarily increasing a counter of a number of bits available for encoding a remaining set of images in a group of images containing the uncompressed image.

57. (Original) The system of claim 52, wherein the encoding means encodes the image in response to the determination of a scene change and the type of the frame by temporarily increasing a counter of a number of bits allocated to images having a same frame type as the frame type of the uncompressed image, in a group of images including the uncompressed image.

58. (Original) The system of claim 52, wherein the scene change detection means is further adapted, responsive to determining a scene change, to generate data identifying the uncompressed image as corresponding to a scene change, and storing the generated data in a side information file for transmission or storage.

59. (Previously Presented) A method of encoding video images, where each image has a frame type, the method executed by a computer and comprising:

receiving a plurality of macroblocks for an uncompressed image;

determining a macroblock type for each macroblock;

determining whether the image represents a scene change based upon a distribution of macroblock types of the macroblocks and the frame type of the image;

encoding the image without changing the frame type of the image in response to the determination of a scene change and the frame type of the image, wherein the encoding changes a quantization rate used to quantize the image, without changing the frame type of the image; and

outputting the encoded image.

60. (Previously Presented) A method of encoding video images, where each image has a frame type, the method executed by a computer and comprising:

receiving a plurality of macroblocks for an uncompressed image;

determining a macroblock type for each macroblock;

determining whether the image represents a scene change based upon a distribution of macroblock types of the macroblocks and the frame type of the image;

encoding the image without changing the frame type of the image in response to the determination of a scene change and the frame type of the image, wherein the encoding temporarily increases a counter of a number of bits available for encoding a remaining set of images in a group of images containing the uncompressed image; and

outputting the encoded image.

61. (Previously Presented) A method of encoding video images, where each image has a frame type, the method executed by a computer and comprising:

receiving a plurality of macroblocks for an uncompressed image;

determining a macroblock type for each macroblock;

determining whether the image represents a scene change based upon a distribution of macroblock types of the macroblocks and the frame type of the image;

encoding the image without changing the frame type of the image in response to the determination of a scene change and the frame type of the image, wherein the encoding temporarily increases a counter of a number of bits allocated to images having a same frame type as the frame type of the uncompressed image, in a group of images including the uncompressed image; and

outputting the encoded image.

62. (Previously Presented) A computer program product, adapted to encode video images, comprising a computer readable storage medium containing computer executable instructions executable by a processor to control the processor of a computer system for performing the operations of:

receiving a plurality of macroblocks for an uncompressed image;

determining a macroblock type for each macroblock;

determining whether the image represents a scene change based upon a distribution of macroblock types of the macroblocks and the frame type of the image;

encoding the image without changing the frame type of the image in response to the determination of a scene change and the frame type of the image, wherein the encoding changes a quantization rate used to quantize the image, without changing the frame type of the image; and

outputting the encoded image.

63. (Previously Presented) A computer program product, adapted to encode video images, comprising a computer readable storage medium containing computer executable instructions executable by a processor to control the processor of a computer system for performing the operations of:

receiving a plurality of macroblocks for an uncompressed image;

determining a macroblock type for each macroblock;

determining whether the image represents a scene change based upon a distribution of macroblock types of the macroblocks and the frame type of the image;

encoding the image without changing the frame type of the image in response to the determination of a scene change and the frame type of the image, wherein the encoding temporarily increases a counter of a number of bits available for encoding a remaining set of images in a group of images containing the uncompressed image; and

outputting the encoded image.

64. (Previously Presented) A computer program product, adapted to encode video images, comprising a computer readable storage medium containing computer executable instructions executable by a processor to control the processor of a computer system for performing the operations of:

receiving a plurality of macroblocks for an uncompressed image;

determining a macroblock type for each macroblock;

determining whether the image represents a scene change based upon a distribution of macroblock types of the macroblocks and the frame type of the image;

encoding the image without changing the frame type of the image in response to the determination of a scene change and the frame type of the image, wherein the encoding temporarily increases a counter of a number of bits allocated to images having a same frame type as the frame type of the uncompressed image, in a group of images including the uncompressed image; and

outputting the encoded image.